



Mail to: PO Box 9777, EC2-2C1  
Federal Way, Washington 98063-9777  
Ship to: 33663 Weyerhaeuser Way S  
Federal Way, Washington 98003  
Tel (253) 924-3746  
Fax (253) 924-2013  
E-mail: jennifer.bariska@weyerhaeuser.com

August 24, 2005

Mr. Mark Edens  
Unit Supervisor  
Northwest Regional Office  
Department of Ecology  
3190 160<sup>th</sup> Avenue SE  
Bellevue, WA 98008-5452

RECEIVED  
AUG 26 2005  
DEPT OF ECOLOGY

Re: Weyerhaeuser Everett East Site, Mill B  
Well Abandonment  
Consent Decree, Summons No. 97-202773-8

Dear Mr. Edens:

Enclosed for your files is a copy of a memorandum regarding the well abandonment efforts at former Weyerhaeuser Everett East site. A total of eight wells were abandoned in accordance with the Washington State Minimum Standards for Construction and Maintenance of Wells (WAC 143-160-460).

Confirmation well MW-RA-8-3 was not abandoned and Weyerhaeuser will continue to monitor this well on an annual frequency, as approved by Ecology in a letter dated April 29, 2005. The annual groundwater monitoring event for this well is tentatively schedule for the last week of September 2005. In addition, Weyerhaeuser appreciates Ecology's notification of the soil analytical results near the vicinity of well MW-RA-8-3. We will evaluate the results and determine an appropriate course of action.

Should you require further information, please contact me at (253) 924-3746.

Sincerely,

Jennifer Bariska  
Environmental Manager

Enclosures

cc: Jane Patarcity, Beazer East, Inc. – memorandum  
Thomas Aldrich, ASARCO – memorandum  
Bob McChesney, Port of Everett – memorandum  
Mark Schneider, Perkins Coie - without enclosures



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AUG 26 2005  
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# Memorandum

To: Ms. Jennifer Bariska  
cc: File  
From: John North  
Date: August 9, 2005  
SUBJ: Weyerhaeuser – Everett East - Well Abandonment

Jennifer – This memo will serve to document recently completed well abandonment activities performed by Delta Environmental Consultants, Inc. (Delta) at Weyerhaeuser’s Everett East facility.

At your request, Delta coordinated abandonment of existing groundwater monitoring wells in accordance with the Washington State Minimum Standards for Construction and Maintenance of Wells (WAC 173-160-460).

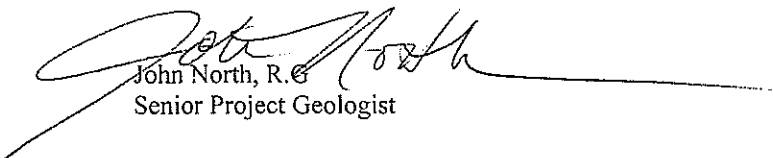
Each well casing was backfilled with hydrated bentonite chips and capped at ground surface. The above-ground protective monument was subsequently removed. Eight wells abandoned on August 1, 2005 included MW-100S, MW-100D, MW-102S, MW-103S, MW-103D, MW-104S, MW-105S, and MW-105D. Field staff noted that bentonite chips were present on the ground surface at the location of MW-107-S, suggesting that the well had previously been abandoned. Field staff were unable to locate wells MW-101S, MW-108S, MW-108D, and MW-109S.

Well MW-RA8-3 was not abandoned and remains the only groundwater monitoring well located on the site. Delta will evaluate available analytical results for soil and groundwater samples collected from the vicinity of MW-RA8-3 with respect to pentachlorophenol and the applicable cleanup levels for the site. Subsequent to the evaluation, Delta will make recommendations for an appropriate course of action.

If you have any questions regarding this project please contact me at (425) 498-7719.

Sincerely,

DELTA ENVIRONMENTAL CONSULTANTS, INC

  
John North, R.G.  
Senior Project Geologist



STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

Northwest Regional Office, 3190 - 160th Ave S.E. • Bellevue, Washington 98008-5452 • (425) 649-7000

July 7, 2000

Mr. Thomas E. Martin  
ASARCO, Inc.  
PO Box 1677  
Tacoma, WA 98401

**RE: Everett Smelter Lowland Area  
Groundwater Monitoring Wells MW-107D, EV-21A, EV-21B and MW-109D**

Dear Tom:

I am responding to your letter dated June 26, 2000 and would like to reiterate the Department of Ecology's position. It is our understanding that the Port of Everett is requesting ASARCO abandon the above referenced monitoring wells in order to precede with their site development plans. Ecology does not object to abandoning these wells, however, new monitoring wells may be necessary to complete the Remedial Investigation/Feasibility Study, Cleanup Action Plan, and long-term monitoring of remedial actions for the Everett Smelter Lowland Area. While we understand ASARCO's position as stated in your letter, we do not agree with it. However, we believe the parties can defer addressing their positions until the need arises in the future should additional data from the area served by those wells become necessary. Again, Ecology reserves all rights to require additional monitoring wells in the future.

If you have any questions, or would like to discuss this further, please call.

Sincerely,

Brian S. Sato  
Project Manager  
Toxics Cleanup Program  
(425) 649-7265

cc: Mary Sue Wilson, Attorney General's Office  
David South, Ecology  
Bob McChesney, Port of Everett  
Dave Nation, Hydrometetics  
Clint Stanovsky  
Mike thorp, Heller, Ehrman, White & McAuliffe



# ASARCO

Thomas E. Martin  
Site Manager

Mr. Robert McChesney  
Director, Properties and Development  
Port of Everett  
2911 Bond Street, Suite 202  
Everett, WA 98206

Re: **Everett Smelter Site Lowland Area  
Groundwater Monitoring Wells MW-107D, EV-21A, EV-21B and MW-109D**

Dear Mr. McChesney:

May 30, 2000

I am writing in response to your notice of May 17, 2000 requesting abandonment of the four subject wells. Asarco installed the wells on property owned by the Port of Everett pursuant to Department of Ecology (Ecology) Enforcement Order No. DE97TC-N119.

As you are aware, Asarco and the Port are parties to an Access and Indemnity Agreement related to the wells, executed by the Port on January 15, 1999 (the "Agreement"). Paragraph 4 of the Agreement provides for relocation or abandonment of the wells upon written notice from the Port and approval from Ecology. Attachment B to your notice is a copy of a letter to you from Judith M. Aitken, of the Ecology Toxics Cleanup Program, dated May 10, 2000. In her letter Ms. Aitken provides written approval for closure of the four wells. Given your notice and Ecology's approval, Asarco will now proceed to abandon the four wells as provided by the Agreement. Please be aware that Asarco has no plans to reinstall or relocate these wells, or to install new wells in the future.

Clint Stanovsky, Asarco's Everett Information Center Coordinator, will contact you to arrange access of Hydrometrics, Inc. to the wells for abandonment within the next 4 weeks. You may call Clint at (425) 259-0822.

Thank you for cooperating with Asarco in our compliance with the enforcement order. I am providing informational copies of our correspondence to Mr. Brian Sato, Ecology project manager for the Everett Smelter Site Lowland Area Investigation. If you would like to discuss this matter further, please call me at (253) 756-0203.

Sincerely,



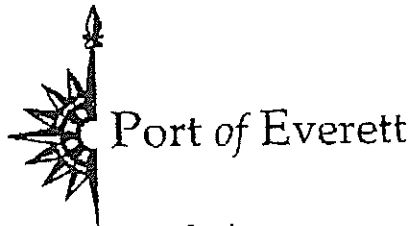
Tom Martin

cc: Brian Sato, Ecology  
Dave Nation, Hydrometrics  
Clint Stanovsky  
Michael Thorp

ASARCO INFORMATION CENTER, EVERETT SMELTER SITE

ASARCO Incorporated 545 Hawthorne Street Everett, WA 98201 (425) 259-6248

ASARCO (800) 750-5436 email: tmartin@asarco.com



May 17, 2000

Mr. Tom Martin  
Tacoma Site Manager  
**ASARCO INC.**  
P.O. Box 1677  
Tacoma, WA 98401

Re: Groundwater Monitoring Wells.


Dear Mr. Martin:

As you may already be aware from discussions with your predecessor, the Port and ASARCO entered into an "ACCESS AND INDEMNITY AGREEMENT" last year for the purpose of facilitating your compliance with an enforcement order from Ecology. This order required ASARCO to place groundwater monitoring wells on Port property as part of the Lowlands Investigation.

Meanwhile, the Lowlands Investigation is in abeyance pending Ecology's appeal of the recent court decision that appeared to favor ASARCO in the Everett Site cleanup dispute. And while nobody can predict when the appeals process will be completed, or for that matter how the final ruling will come down, it is the Port's position the monitoring wells are no longer necessary. Indeed, we find them to be an imposition and encumbrance to our site development now scheduled to begin later this month.

Previous to the Port's purchase from Weyerhaeuser in 1998, the property was identified as a MTCA cleanup site by Ecology. As a contingency of the sale, and to comply with a Consent Order, Weyerhaeuser cleaned up the site to an industrial standard with restrictive covenants that require Ecology approval for future development. The Port's development plan was approved; Exhibit-A. In addition, Ecology reviewed the status of the on site groundwater monitoring wells; Exhibit-B. Accordingly, Ecology has authorized the de-commissioning and removal of the ASARCO wells as stipulated in paragraph-4 "Relocation, Abandonment of Wells" of our agreement. The Port believes this satisfies the intent of the agreement and herein provide thirty (30) days notice of termination. Please arrange to have these wells removed as soon as possible. If you have any questions, please don't hesitate to call me, (425) 259-3164.

Sincerely,

  
Robert E. McChesney  
Director, Properties and Development

Cc Brad Cattle  
✓ Clint Stanovsky



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

Northwest Regional Office, 3190 - 160th Ave S.E. • Bellevue, Washington 98008-5452 • (425) 649-7000

May 10, 2000

Mr. Robert E. McChesney  
Director, Properties and Development  
Port of Everett  
P.O. Box 538  
Everett, WA 98206

Dear Mr. McChesney:

This letter is in response to our discussion about "closing" the upgradient monitoring wells on the Riverside Business Park site (Weyerhaeuser East). The wells in question are MW-107S(2), MW-107D, MW-108S, MW-108D, MW-109S, MW109D, EV-21A, and EV-21B. They are not associated with the points of compliance that are needed for long-term monitoring of the site.

I see no problems in closing the wells since off-site wells that are adjacent and close enough to each of the sites that can provide the same data that these wells are providing. It is my understanding that these on-site wells are in areas that will be impacted by the roads and infrastructure that are proposed in the development plans for the site. One of the wells (MW109S) is in an existing building that is scheduled for demolition. So that you are assured that you have adequate data to make any future decisions, I would propose that you make arrangements to receive copies of the sampling data that ASCARCO receives in monitoring those off-site wells.

In order to make sure this will not disrupt the monitoring program that Weyerhaeuser has designed for the site, I contacted Shari Brown and asked if she thought there would be any problems. She may have some additional thoughts on this, particularly if there is an indication of additional contamination appearing in the ASARCO samples.

If you have any questions or would like to discuss this further, please call. My number is (425) 649-7135.

Sincerely,

Judith M. Aitken  
Toxics Cleanup Program

JMA:jma:gm

cc: Larry Beard, Landau Associates  
Shari Brown, Weyerhaeuser





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April 24, 2000

Mr. Robert E. McChesney  
Director, Properties and Development  
Port of Everett  
P.O. Box 538  
Everett, WA 98206

Dear Mr. McChesney:

This letter is a response to our discussion about dewatering areas where the infrastructure is being installed on the Riverside Business Park site. We (Port of Everett, Landau Associates, Ecology) were concerned about re-infiltration of shallow groundwater on the site and whether we needed to have the process permitted.

Good news, there are no permit requirements for re-infiltrating groundwater at the site where it was initially removed except that it should not contain contamination above MTCA levels determined for the site. If an injection well was anticipated or if it were to be disposed of in the Snohomish River or the storm drain system, there would be permitting involved. Ecology's Water Quality Program does not require water right permits for dewatering. Water Quality at Headquarters says that this proposal does not fall under the Underground Injection Control Act. They are checking other areas to see if there is anything that needs to be addressed but I have not heard anything.

The plans you have designed for the site will not interfere with the deed restriction or the monitoring program. If you have any questions or need additional information, please let me know. My telephone number is (425) 649-7135.

Sincerely,

Judith M. Aitken  
Toxics Cleanup Program

JMA:jma:gm

cc: Larry Beard, Landau Associates





STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

Northwest Regional Office, 3190 - 160th Ave S.E. • Bellevue, Washington 98008-5452 • (425) 649-7000

April 20, 2000

Mr. Robert E. McChesney  
Director, Properties and Development  
Port of Everett  
P.O. Box 538  
Everett, WA 98206

Dear Mr. McChesney:

This letter is in response to our discussion about "closing" the upgradient monitoring wells on the Riverside Business Park site (Weyerhaeuser East). The wells in question are MW-107S(2), MW-108S, MW-108D, and MW-109S and are not associated with the points of compliance that are needed for long-term monitoring of the site.

I see no problems in closing the wells since ASARCO has wells that are adjacent and close enough to each of the sites that can provide the same data that these wells are providing. It is my understanding that these wells are in areas that will be impacted by the roads and infrastructure that are proposed in the development plans for the site. One of the wells (MW107S [2]) is in an existing building that is scheduled for demolition. So that you are assured that you have adequate data to make any future decisions, I would propose that you make arrangements to receive copies of the sampling data that ASCARCO receives in monitoring those wells.

In order to make sure this will not disrupt the monitoring program that Weyerhaeuser has designed for the site, I contacted Shari Brown and asked if she thought there would be any problems. She may have some additional thoughts on this, particularly if there is an indication of additional contamination appearing in the ASARCO samples. I do think that there is a very remote chance that it could happen, but hopefully there would be no need to reinstall the wells.

If you have any questions or would like to discuss this further, please call. My number is (425) 649-7135.

Sincerely,

Judith M. Aitken  
Toxics Cleanup Program

JMA:jma:gm

cc: Larry Beard, Landau Associates  
Shari Brown, Weyerhaeuser







STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

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April 20, 2000

Mr. Robert E. McChesney  
Director, Properties and Development  
Port of Everett  
P.O. Box 538  
Everett, WA 98206

*Letter  
closing upgradient  
mont. wells  
Riverside Bus. Park  
4/00*

Dear Mr. McChesney:

This letter is in response to our discussion about "closing" the upgradient monitoring wells on the Riverside Business Park site (Weyerhaeuser East). The wells in question are MW-107S(2), MW-108S, MW-108D, and MW-109S and are not associated with the points of compliance that are needed for long-term monitoring of the site.

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If you have any questions or would like to discuss this further, please call. My number is (425) 649-7135.

Sincerely,

*Judith M. Aitken*

Judith M. Aitken  
Toxics Cleanup Program

JMA:jma:gm

cc: Larry Beard, Landau Associates  
Shari Brown, Weyerhaeuser

